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**Attorney for Defendant Patricia Rimili Blicharz**

**UNITED STATES DISTRICT COURT**  
**District of New Jersey**

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Scott Phillips; et al

Plaintiff(s),

Civil Action No 2:18-cv-12207

v.

ANSWER, CROSS-CLAIMS.  
COUNTERCLAIM  
JURY DEMAND,  
SEPARATE DEFENSES,  
DESIGNATION OF TRIAL  
COUNSEL

Archdiocese of Newark;  
Patricia Rimili Blicharz; et al

Defendant(s).

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Defendant Patricia Rimili Blicharz, residing in Springfield, and County of Union  
and State of New Jersey in answer:

1. Defendant denies the allegations of paragraph 93.
2. Defendant makes no answer to the other allegations of the complaint as they do  
not apply to her.

WHEREFORE, Defendant, Patricia Blicharz demands judgment against Plaintiffs dismissing the complaint, together with court costs, attorney's fees and interest thereon.

**SEPARATE DEFENSE**

1. The Complaint fails to state a cause of action.
2. Plaintiff's damages if any are the result of their own negligence.
3. Plaintiff's damages, if any were the result of the acts of third parties over whom this Defendant has no control.
4. The Complaint is barred by the statute of limitations.
5. The Complaint is barred by estoppel.
6. The Complaint is barred by waiver.
7. The Complaint is barred, as there are no damages.
8. The Complaint is barred, as this Defendant did not slander/defame Plaintiffs.
9. This Defendant has a 1<sup>st</sup> amendment right of free speech and any posting on Facebook is protected by this privilege.

WHEREFORE, Defendant Patricia Rimili Blicharz, demands judgment against Plaintiff, dismissing the complaint together with court costs, attorney's fees and interest thereon.

**CROSS-CLAIM FOR CONTRIBUTION**

The Defendant Patricia Rimili Blicharz by way of cross-claim against all named Defendants.

Pursuant to R 4:7-5(b) the defendant Patricia Rimili Blicharz demands contribution under the Joint Tortfeasors Contribution Act, NJSA 2A: 53A-1 and the Comparative Negligence Act, from all named co-defendants.

#### **CROSSCLAIM FOR IDEMNIFICATION**

The Defendant Patricia Rimili Blicharz, while denying negligence if any which was the proximate cause of plaintiff's injuries was that of all named co-defendants and that the liability of Defendant Blicharz was derivative or secondary in nature while the liability of co-defendants was of a primary character thus giving rise to a duty on the part of all named co-defendants to hold harmless and indemnify the Defendant Patricia Rimili Blicharz.

#### **DESIGNATION OF TRIAL COUNSEL**

William C. Hood, III is designated as trial counsel for Defendant Patricia Rimili Blicharz.

Dated 8/23/18

By

William C. Hood, III